

ASSEMBLY BILL

No. 2112

Introduced by Assembly Member Fong

February 23, 2012

An act to amend Section 1749 of the Civil Code, relating to retail sellers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2112, as introduced, Fong. Retail sellers: layaway practices.

Existing law requires a retail seller to provide to a consumer entering into a layaway agreement with the seller a written statement of the terms and conditions of the agreement, as specified.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1749 of the Civil Code is amended to
2 read:
3 1749. ~~Any~~ A retail seller ~~which~~ *that* permits consumers to lay
4 away consumer goods shall provide to ~~any~~ a consumer entering
5 into a layaway agreement with the seller a written statement of the
6 terms and conditions of the agreement, including, *but not limited*
7 *to*, the following information:
8 (1) The amount of the deposit received.

- 1 (2) The length of time the goods will be held on layaway which
- 2 may be expressed as a period of time or as a date when final
- 3 payment for the goods is due.
- 4 (3) A specific description of the goods.
- 5 (4) The total purchase price of the goods including a separate
- 6 listing of any handling or processing charges.
- 7 (5) Any other terms and conditions of the layaway agreement.
- 8 (6) That the seller will refund any layaway deposit and
- 9 subsequent payments, if any, when, before the end of the stated
- 10 layaway period, the goods have for any reason become no longer
- 11 available in the same condition as at the time of the sale to the
- 12 consumer.